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C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000272

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SUBJECT: P-3 PERM REPS DISCUSS UNSC RESOLUTION ON SUDAN

REF: USUN NEW YORK 00262

Classified By: Ambassador Susan E. Rice for reasons 1.4 (b) and (d).

¶1. (C) Summary: In a March 17 meeting called by Ambassador Rice, UK Perm Rep Sawers and French Deputy Perm Rep LaCroix discussed the humanitarian situation in Sudan created by the Sudanese decision to expel humanitarian NGOs. The group agreed to seek a second briefing from the UN Office of the Coordinator for Humanitarian Affairs (OCHA) no later than 3pm on Friday, March 20, and also agreed that this should be a public briefing, not closed consultations. P3 representatives also agreed that if OCHA could not brief the Council, as an alternative, they would press for a political briefing from the Secretary General.

¶2. (C) Ambassador Rice also discussed the need to press for a Security Council resolution soon, given that it did not appear President Bashir would reverse his expulsion decision. Rice set forth the elements that the U.S. is considering for such a resolution and asked Sawers and LaCroix to convey these elements to London and Paris. Both Sawers and LaCroix indicated that discussion of the humanitarian situation in Sudan had not yet taken place at the highest levels of their governments. Sawers noted that Foreign Minister Miliband would be in Washington tomorrow to meet with Secretary Clinton, and Sawers would flag this issue for further discussion. Sawers and LaCroix indicated that they did not believe the P3 would be in a position by Friday to seek a resolution. Ambassador Rice urged both Sawers and LaCroix to convey to capitals the need for action quickly, in a matter of days not weeks. End Summary.

Ambassador Rice Calls Meeting

¶3. (C) On March 17, Ambassador Rice invited the UK and France Perm Reps to the US mission to discuss further the humanitarian situation in Sudan. P3 Ambassadors had previously met on March 12 for discussion (Ref A). Rice detailed that the Administration would announce the appointment of a Special Envoy to Sudan soon. Turning to the humanitarian situation in Darfur, Rice said that efforts to persuade Bashir to reverse his decision to expel key international NGOs from Sudan had failed thus far to yield results. She noted that Bashir declared yesterday that within one year, all humanitarian assistance would be provided by the Government of Sudan, and no international NGOs would remain in Sudan. Rice also said that the Council's failure to condemn the expulsion of NGOs has made us look ineffectual. She urged her P3 colleagues to jointly devise a strategy that would allow the Council to pass a resolution vice a press statement or presidential statement, saying that now is not the time to play games with Libyans for the next three weeks. Rice also said that with 1.5 million Darfuris risking death, more than a statement was needed; the Council should pass a resolution with teeth.

UK Perm Rep Sawers Reacts

15. (C) UK Perm Rep Sawers said that our goal must be to avert a humanitarian catastrophe. He noted that Africans and Arabs needed to make a clear distinction between their opposition to the International Criminal Court (ICC) indictment and a condemnation of the NGO expulsions. Sawers indicated that London agreed the humanitarian situation is critical but still wanted to continue holding back from pursuing a Council resolution to see whether private pressure could yet affect Bashir. Sawers also repeated London's strategy of maintaining a "steady drum beat" in the Council (Ref. A) but delaying a decision on whether to seek a written Council product.

16. (C) Ambassador Rice responded by noting that the United States has held back and pursued behind the scenes efforts to persuade Bashir to reverse his decision. However, she reiterated that Bashir's statements yesterday clearly indicate that he has not received our message. Rice asked Sawers how much longer we should wait for the GOS to change course?

French Deputy Perm Rep LaCroix Weighs In

17. (C) French Deputy Perm Rep LaCroix expressed support for an OCHA briefing as soon as possible and noted that, unfortunately, there would be more political support for a Council resolution when and if the humanitarian situation visibly deteriorated and people began to lose their lives. LaCroix noted that the African Union and Arab League had

USUN NEW Y 00000272 002 OF 002

delayed briefing the Council because they are disturbed by Bashir's expulsion decision. LaCroix suggested that the P3 examine how to increase these organizations uneasiness with Bashir's actions. He said that within the Council, the Libyans are focused on the ICC decision and the Africans are united on this issue; the P3 would need to work hard to change these positions. LaCroix also expressed concern for the impact on the ground that P3 attempts to obtain a resolution could have on P3 nationals on the ground in Sudan.

Proposed Elements for a Potential Council Resolution

18. (C) Ambassador Rice turned to Ambassador DiCarlo to share USG thinking on potential elements for a Security Council Resolution on Darfur. Ambassador DiCarlo said that such a resolution could include the following:

- condemnation of Bashir's decision to expel NGOs and a demand that this decision be reversed;
- taking note in the preamble of "right to protect" language, i.e. General Assembly Resolution A/60/1 (2005) wherein all UN member states by consensus agreed that individual States have a responsibility to protect their populations;
- clarifying that if Bashir does not reverse his decision within a short, fixed period of time, the Council would take measures that could include (a) establishing a no-fly zone over Darfur; (b) expanding the arms embargo to include all of Sudan (excluding the Sudan people's Liberation Movement) and to prohibit the Government of Sudan from selling or transferring arms; and (c) targeted sanctions against individuals who prevent humanitarian aid from reaching the vulnerable population in Darfur.

19. (C) Ambassador Rice clarified that while the Administration had not yet made a decision with regard to a no-fly zone over Darfur, it could be useful to consider including broad language that would authorize enforcement of a ban on Sudanese offensive air flights. Rice also asked Sawers and LaCroix to share these elements with capitals,

where further discussion could take place. Sawers noted that whatever elements are placed into a draft resolution, the P3 must be prepared to follow through with actions. Sawers observed that in terms of UK military commitment for a no-fly zone, this would be a tough sell, particularly given commitments in Afghanistan and Pakistan. French Deputy Perm Rep LaCroix noted a meeting held with former A/S Fraser two years ago in which France had expressed reservations with a no fly zone in terms of the impact this might have on Chad and particularly on the relationship between Chad and Sudan. Rice